

P-407, 421/CP-87-219 ORDER GRANTING TIME EXTENSION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Darrel L. Peterson  
Cynthia A. Kitlinski  
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Norma McKanna  
Patrice M. Vick

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Petition of  
Certain Subscribers in the  
Delano Exchange for Extended  
Area Service to the  
Minneapolis/St. Paul  
Metropolitan Calling Area

ISSUE DATE: April 26, 1991

DOCKET NO. P-407, 421/CP-87-219

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**PROCEDURAL HISTORY**

On June 26, 1990, the Commission issued its ORDER AFTER RECONSIDERATION OF JUNE 20, 1989 ORDER IN LIGHT OF MINNESOTA STATUTE § 237.161 (1990) in the consolidated Metro EAS Case, Docket No. P-421, 405, 407, 430, 426, 520, 427/CI-87-76. In its Order, the Commission reviewed the 16 petitions for Extended Area Service (EAS). Among other things, the Commission found that four exchanges including Delano met the adjacency requirement of Minn. Stat. § 237.161 and directed U S West Communications, Inc. (USWC), formerly Northwestern Bell Telephone Company (NWB), the telephone company providing local service to Delano, to file traffic studies that would allow the Commission to determine whether the traffic requirement of the new EAS legislation was satisfied. Minn. Stat. § 237.16 (1990)

On August 10, 1990 NWB filed its traffic study for the Delano exchange.

On September 13, 1990, the Commission issued an order in this matter finding that the Delano exchange met the adjacency and traffic criteria of Minn. Stat. § 237.161, Section 1, subd. 1 (a). Therefore, the Commission directed the affected telephone companies to file cost studies and proposed rates within 45 days of the issue date of the Order. Those cost studies and proposed rates were filed mid-December.

The September 13, 1990 Order also required the Department to submit a report and recommendations on cost studies and proposed rates for each of the four exchanges within 45 days of receipt of the companies' studies. The companies' studies were filed by December 13, 1990, therefore, the Department's report was due January 28, 1991.

On January 28, 1991, the Department submitted a letter to the Commission requesting a 60 day extension for the filing of its reports and recommendations. The Department explained that the need for this extension was due to it's involvement in the

development of rates for the eight Metro EAS petitions which fall under Section 2 of Minn. Stat. § 237.161.

On February 27, 1991, the Commission issued an Order granting time extensions to the Department for filing its report and recommendation in this and three other Metro EAS dockets: North Branch, Docket No. P-421/CP-86-272; Buffalo, Docket No. P-421/CP-87-506; and Cambridge, P-421/CP-86-571. Under the extension, the reports were due March 29, 1991.

On March 20, 1991, the Department submitted a letter requesting an extension for the filing of its report for these four exchanges.

On April 2, 1991, the Commission met to consider this matter.

### **FINDINGS AND CONCLUSIONS**

In support of its request for an extension of time to file its report and recommendation in this matter, the Department explained that the work associated with the ongoing metro EAS petitions which must be decided by July 1, 1991, and the Iron Trail EAS docket have slowed the discovery in this matter.

The Commission finds that the Department's request for a two week extension of time is reasonable and should be granted. The reasons for the Department's request are sound. No party has opposed the extension. Neither the public interest nor any party's interests will be prejudiced by the delay. The Commission will grant the requested extension.

### **ORDER**

1. The Department of Public Service is granted an extension of time two weeks from the date of this Order to file its report regarding the cost studies and proposed EAS rates for the Delano exchange.
2. Within 20 days following the filing of the Department's report pursuant to Ordering Paragraph 1, interested parties may file comments.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster  
Executive Secretary

(S E A L)